

2007 DRAFTING REQUEST

Bill

Received: **12/22/2006**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Terry Tuschen (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - railroads**

Extra Copies: **BAB**

Submit via email: **YES**

Requester's email: **Sen.Risser@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Midwest Interstate Passenger Rail Compact

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 01/03/2007	kfollett 01/15/2007		_____			State
/1			pgreensl 01/15/2007	_____	mbarman 01/16/2007		State
/2	agary 01/31/2007	kfollett 01/31/2007	jfrantze 02/01/2007	_____	sbasford 02/01/2007	cduerst 02/06/2007	

FE Sent For: "1/2" @ Intro,
2-26-2007

<END>

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/?	agary 01/03/2007	kfollett 01/15/2007					State
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/1		12/5f 1/39	pgreensl 01/15/2007		mbarman 01/16/2007		
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/?	agary	1/15 1/15	1/15 PR	1/15 PR/NN			

FE Sent For:

<END>

Gary, Aaron

From: Tuschen, Terry
Sent: Thursday, December 21, 2006 4:00 PM
To: Gary, Aaron
Cc: Tuschen, Terry
Subject: Sen. Risser Drafting Request (Midwest Interstate Passenger Rail Compact)

Attachments: compoverviewupdat1206.doc; compfinal.doc

Hi Aaron, Senator Risser has agreed to introduce this compact this session. It was first introduced last session as 2005 Assembly Bill 1049. So could you re-draft that bill as a Senate bill for this session? For reference, I'm attaching the compact language and a background sheet on the issue that CSG provided. Let me know if you have any questions too.



compoverviewupda compfinal.doc (39
t1206.doc (44 ... KB)

Thanks, Terry

Terry Tuschen
Office of State Senator Fred Risser
123 South, State Capitol
Madison, WI 53702
608.266.1627
Terry.Tuschen@legis.state.wi.us

The Midwest Interstate Passenger Rail Compact

Bringing Together State Leaders from Across the Region to Advocate for Passenger Rail Improvements

What are the purposes of the Midwest Interstate Passenger Rail Compact?

The main purposes of the compact are to promote, coordinate and support regional improvements to passenger rail service:

- Promote development and implementation of improvements and long-range plans for intercity passenger rail service in the Midwest;
- Coordinate interaction among Midwestern state officials, and among the public and private sector at all levels (federal, state and local); and
- Support current state efforts being conducted through state DOTs.

*Attached \$
12/21/06 e-mail*

Why does the Midwest need a compact to achieve these purposes?

The Midwest needs a unified voice to advocate at the federal, state and local levels for frequent, convenient, cost-effective passenger rail service. The development of a modern passenger rail service is an integral component of the intermodal transportation infrastructure needed to move people and goods quickly, safely and economically in the 21st century. But this essential transportation component has not received the attention currently afforded to other transportation modes.

With all major metropolitan cities within the 100-500 mile range of the Chicago Hub, our region is the ideal candidate for more frequent intercity passenger rail service at higher speeds. Midwestern state officials and other advocates need to come together and declare with one voice that improvements in passenger rail are critical and necessary. The Midwest Interstate Passenger Rail Compact provides structure and legitimacy to such a voice.

Reauthorization of Amtrak is still pending, and the federal government has not yet recognized the importance of passenger rail by providing it with any dedicated source of funding. It is more important than ever for state leaders in the Midwest to advocate for the federal funding necessary to build a strong passenger rail system in our region.

Which states are eligible to join the Compact?

The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin are eligible to join the Compact. Other states may also be declared eligible to join, upon approval of the commission that was created when the Compact became effective.

Who makes up the commission's membership?

Four resident members from each state that has enacted the compact are appointed to the commission. The governor of each state appoints two members and legislative leaders appoint two members.

The governor shall appoint:

- The governor or a designee;
- A member of the private sector

The legislature shall appoint:

- One member from each legislative chamber
(or two legislators from any unicameral legislature)

When did the Compact become operational and what is its progress to date?

According to the compact language, three states needed to enact the compact before it became operational. That happened in 2000, when the legislatures of Indiana, Minnesota and Missouri passed the compact, and the bills were signed into law. North Dakota, Nebraska and Ohio subsequently joined. Michigan became the seventh state to join the compact, in May of 2006. This November, both houses of the Illinois General Assembly unanimously passed the compact – that legislation now awaits the governor's signature. As other eligible states continue to pass enabling legislation, they will become members of the commission created to carry out the objectives of the compact – the Midwest Interstate Passenger Rail Commission.

The Midwest Interstate Passenger Rail Commission (MIPRC) has been effective in educating Members of Congress from its member states on the importance of passenger rail development to the region, and in facilitating dialogue among various parties with an interest in rail. The MIPRC led an effort that formulated and promoted the American Passenger Rail Agreement – a common set of principles for passenger rail development that over 100 groups of state officials, advocacy organizations, unions and corporations are advocating at the federal level. The group seeks a dedicated source of funding for passenger rail, and a preserved and improved nationwide passenger rail system. In addition, the MIPRC advocates for federal funding to implement the Midwest Regional Rail Initiative (MWRRI), a nine-state effort to improve the efficiency and frequency of passenger rail service in the region, and for the Ohio Hub plan, which would also dramatically increase the region's passenger rail service as well as connect the Midwest to the East. During its June 2006 spring meeting, held in Washington, D.C., MIPRC commissioners met with many Midwestern Members of Congress and expressed strong support for the MWRRI and the Ohio Hub plans. The MIPRC urged Midwestern Members of Congress to take a leadership role in support for passenger rail development in the Midwest, and specifically called on Congress to: pass legislation that reauthorizes Amtrak and establishes long-term, dedicated funding for intercity rail (80/20 federal/non-federal split); fund Amtrak at \$1.8 billion for FY 2007 (including \$1.6 billion to keep the current national system running, \$100 million for a state matching program for new passenger rail development and \$50 million for freight congestion mitigation); and invest in intercity rail as part of a national transportation and energy policy. In addition to urging enactment of key federal legislation, the MIPRC is working to form partnerships with specific Midwestern Members of Congress to highlight the important role passenger rail does and can play in our region.

How can I find out more about the Compact and its progress?

Detailed information about the MIPRC is available on its website: www.miprc.org. Or, contact Laura Kliever, the commission's director (630/925-1922, lkliever@miprc.org).

Midwest Interstate Passenger Rail Compact

A bill for an act

MIDWEST INTERSTATE PASSENGER RAIL COMPACT

The contracting states solemnly agree:

ARTICLE I

STATEMENT OF PURPOSE

The purposes of this compact are, through joint or cooperative action:

- A) to promote development and implementation of improvements to intercity passenger rail service in the Midwest;
- B) to coordinate interaction among Midwestern state elected officials and their designees on passenger rail issues;
- C) to promote development and implementation of long-range plans for high speed rail passenger service in the Midwest and among other regions of the United States;
- D) to work with the public and private sectors at the federal, state and local levels to ensure coordination among the various entities having an interest in passenger rail service and to promote Midwestern interests regarding passenger rail; and
- E) to support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

ARTICLE II

ESTABLISHMENT OF COMMISSION

To further the purposes of the compact, a Commission is created to carry out the duties specified in this compact.

*Attached
to 12/21/06 e-mail*

ARTICLE III

COMMISSION MEMBERSHIP

The manner of appointment of Commission members, terms of office consistent with the terms of this compact, provisions for removal and suspension, and manner of appointment to fill vacancies shall be determined by each party state pursuant to its laws, but each commissioner shall be a resident of the state of appointment. Commission members shall serve without compensation from the Commission.

The Commission shall consist of four resident members of each state as follows: The governor or the governor's designee who shall serve during the tenure of office of the governor, or until a successor is named; one member of the private sector who shall be appointed by the governor and shall serve during the tenure of office of the governor, or until a successor is named; and two legislators, one from each legislative chamber (or two legislators from any unicameral legislature), who shall serve two-year terms, or until successors are appointed, and who shall be appointed by the appropriate appointing authority in each legislative chamber. All vacancies shall be filled in accordance with the laws of the appointing states. Any commissioner appointed to fill a vacancy shall serve until the end of the incomplete term. Each member state shall have equal voting privileges, as determined by the Commission bylaws.

ARTICLE IV

POWERS AND DUTIES OF THE COMMISSION

The duties of the Commission are to:

- 1) advocate for the funding and authorization necessary to make passenger rail improvements a reality for the region;
- 2) identify and seek to develop ways that states can form partnerships, including with rail industry and labor, to implement improved passenger rail in the region;

Midwest Interstate Passenger Rail Compact (cont.)

- 3) seek development of a long-term, interstate plan for high speed rail passenger service implementation;
- 4) cooperate with other agencies, regions and entities to ensure that the Midwest is adequately represented and integrated into national plans for passenger rail development;
- 5) adopt bylaws governing the activities and procedures of the Commission and addressing, among other subjects: the powers and duties of officers; the voting rights of Commission members, voting procedures, Commission business, and any other purposes necessary to fulfill the duties of the Commission;
- 6) expend such funds as required to carry out the powers and duties of the Commission; and
- 7) report on the activities of the Commission to the legislatures and governor of the member states on an annual basis.

In addition to its exercise of these duties, the Commission is empowered to:

- 1) provide multistate advocacy necessary to implement passenger rail systems or plans, as approved by the Commission;
- 2) work with local elected officials, economic development planning organizations, and similar entities to raise the visibility of passenger rail service benefits and needs;
- 3) educate other state officials, federal agencies, other elected officials and the public on the advantages of passenger rail as an integral part of an intermodal transportation system in the region;
- 4) work with federal agency officials and Members of Congress to ensure the funding and authorization necessary to develop a long-term, interstate plan for high speed rail passenger service implementation.
- 5) make recommendations to member states;

Midwest Interstate Passenger Rail Compact (cont.)

- 6) if requested by each state participating in a particular project and under the terms of a formal agreement approved by the participating states and the Commission, implement or provide oversight for specific rail projects;
- 7) establish an office and hire staff as necessary;
- 8) contract for or provide services;
- 9) assess dues, in accordance with the terms of this compact;
- 10) conduct research; and
- 11) establish committees.

ARTICLE V

OFFICERS

The Commission shall annually elect from among its members a chair, a vice-chair who shall not be a resident of the state represented by the chair, and others as approved in the Commission bylaws. The officers shall perform such functions and exercise such powers as are specified in the Commission bylaws.

ARTICLE VI

MEETINGS AND COMMISSION ADMINISTRATION

The Commission shall meet at least once in each calendar year, and at such other times as may be determined by the Commission. Commission business shall be conducted in accordance with the procedures and voting rights specified in the bylaws.

ARTICLE VII

FINANCE

Except as otherwise provided for, the monies necessary to finance the general operations of the Commission in carrying forth its duties, responsibilities and powers as stated herein shall be appropriated to the Commission by the compacting states, when authorized by the respective legislatures, by equal apportionment among the compacting

states. Nothing in this compact shall be construed to commit a member state to participate in financing a rail project except as provided by law of a member state.

The Commission may accept, for any of its purposes and functions, donations, gifts, grants, and appropriations of money, equipment, supplies, materials and services from the federal government, from any party state or from any department, agency, or municipality thereof, or from any institution, person, firm, or corporation. All expenses incurred by the Commission in executing the duties imposed upon it by this compact shall be paid by the Commission out of the funds available to it. The Commission shall not issue any debt instrument. The Commission shall submit to the officer designated by the laws of each party state, periodically as required by the laws of each party state, a budget of its actual past and estimated future expenditures.

ARTICLE VIII

ENACTMENT, EFFECTIVE DATE AND AMENDMENTS

The states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin are eligible to join this compact. Upon approval of the Commission, according to its bylaws, other states may also be declared eligible to join the compact. As to any eligible party state, this compact shall become effective when its legislature shall have enacted the same into law; provided that it shall not become initially effective until enacted into law by any three (3) party states incorporating the provisions of this compact into the laws of such states. Amendments to the compact shall become effective upon their enactment by the legislatures of all compacting states.

ARTICLE IX

WITHDRAWAL, DEFAULT AND TERMINATION

Withdrawal from this compact shall be by enactment of a statute repealing the same and shall take effect one year after the effective date of such statute. A withdrawing state

Midwest Interstate Passenger Rail Compact (cont.)

shall be liable for any obligations which it may have incurred prior to the effective date of withdrawal.

If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder shall be suspended from the effective date of such default as fixed by the Commission, and the Commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless such default shall be remedied under the stipulations and within the time period set forth by the Commission, this compact may be terminated with respect to such defaulting state by affirmative vote of a majority of the other Commission members. Any such defaulting state may be reinstated, upon vote of the Commission, by performing all acts and obligations as stipulated by the Commission.

ARTICLE X

CONSTRUCTION AND SEVERABILITY

The provisions of this compact entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any compacting state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected hereby. If this compact entered into hereunder shall be held contrary to the constitution of any compacting state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

7 8
2005 - 2006 LEGISLATURE

1231/1
LRB-4532

ARG:kjf: *[initials]*

7 in 1/3
2005 ASSEMBLY BILL 1049

February 20, 2006 - Introduced by Representatives FREESE, LOEFFELHOLZ, BLACK, MUSSEY, HAHN, BERCEAU, HINES, MOLEPSKE and NERISON, cosponsored by Senators COWLES and RISSER. Referred to Committee on Transportation.

Regen

- 1 AN ACT *to create* 14.86 and 85.067 of the statutes; **relating to:** ratification of
2 the Midwest Interstate Passenger Rail Compact.

Analysis by the Legislative Reference Bureau

This bill creates a Midwest Interstate Passenger Rail Compact ("compact"). The purposes of the compact include promoting the development and implementation of improvements to intercity passenger rail service in the Midwest; coordinating interaction among elected states on passenger rail services; and supporting efforts of transportation agencies that are developing and implementing passenger rail service in the Midwest.

seven
The compact became effective when it was enacted into law by three states. Currently, ~~six~~ *seven* states have enacted the compact into law: Indiana, Missouri, Nebraska, Ohio, Minnesota, and North Dakota. Under the compact, Wisconsin and ~~five~~ *four* other states, including Illinois, Iowa, and Michigan, are eligible to become member states.

Michigan,
The compact creates a Midwest Interstate Passenger Rail Commission ("commission") consisting of four members from each member state, including the governor, or his or her designee, and two legislators. The compact specifies certain duties for the commission, including the duty to advocate for the funding and authorization of passenger rail improvements in the Midwest, to identify and seek partnerships to implement improved passenger rail service, and to seek development of a long-term, interstate plan for high-speed passenger rail service. The compact also authorizes the commission to take certain actions related to the promotion and implementation of passenger rail service.

ASSEMBLY BILL 1049

Any member state to the compact may withdraw from the compact, effective one year after passage of a state law withdrawing from the compact. Conditions for default by and termination of a compacting state are specified.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 14.86 of the statutes is created to read:

2 **14.86 Midwest interstate passenger rail commission.** (1) There is
3 created a midwest interstate passenger rail commission as specified under s. 85.067 ✓
4 (2), consisting of the following members representing this state:

5 (a) The governor or his or her designee.

6 (b) One representative to the assembly, appointed by the speaker of the
7 assembly for a 2-year term.

8 (c) One senator appointed by the president of the senate for a 2-year term.

9 (d) One member representing the private sector, appointed by the governor for
10 the governor's term of office.

11 (2) The members of the commission shall serve without compensation but shall
12 be reimbursed from the appropriation under s. 20.395 (4) (aq) for actual and ✓
13 necessary expenses incurred in the performance of their duties. The commission has
14 the powers and duties granted and imposed under s. 85.067. ✓

15 (3) From the appropriation under s. 20.395 (4) (aq), the department of
16 transportation shall pay the costs of membership in and costs associated with the
17 midwest interstate passenger rail compact.

✓
18 **SECTION 2.** 85.067 of the statutes is created to read:

1 **85.067 Midwest interstate passenger rail compact.** The midwest
2 interstate passenger rail compact is enacted into law and entered into by this state
3 with all other states legally joining therein substantially in the following form:

4 MIDWEST INTERSTATE

5 PASSENGER RAIL COMPACT

6 The contracting states solemnly agree:

7 **(1) ARTICLE I – STATEMENT OF PURPOSE.** Through joint or cooperative action, the
8 purposes of this compact are to do all of the following:

9 (a) Promote development and implementation of improvements to intercity
10 passenger rail service in the midwest.

11 (b) Coordinate interaction among elected state officials in the midwest and
12 their designees on passenger rail issues.

13 (c) Promote development and implementation of long-range plans for
14 high-speed passenger rail service in the midwest and among other regions of the
15 United States.

16 (d) Work with the public and private sectors at the federal, state, and local
17 levels to ensure coordination among the various entities having an interest in
18 passenger rail service and to promote interests of the midwestern region regarding
19 passenger rail.

20 (e) Support efforts of transportation agencies that are involved in developing
21 and implementing passenger rail service in the midwest.

22 **(2) ARTICLE II – ESTABLISHMENT OF THE COMMISSION.** To further the purposes
23 of this compact, a midwest interstate passenger rail commission, hereinafter called
24 “the commission,” is created to carry out the duties specified in this compact.

ASSEMBLY BILL 1049**SECTION 2**

1 **(3) ARTICLE III — COMMISSION MEMBERSHIP.** (a) The commission shall consist
2 of 4 resident members of each state as follows:

3 1. The governor or the governor's designee who shall serve during the term of
4 office of the governor, or until a successor is named;

5 2. Two legislators, one from each house (or 2 legislators from any unicameral
6 legislature), who shall serve 2-year terms, or until successors are appointed, and
7 who shall be appointed by the appropriate appointing authority in each house of the
8 legislature; and

9 3. One member of the private sector who shall be appointed by the governor and
10 shall serve during the tenure of office of the governor, or until a successor is named.

11 (am) All vacancies shall be filled in accordance with the laws of the appointing
12 states. Any commissioner appointed to fill a vacancy shall serve until the end of the
13 incomplete term. Each member state shall have equal voting privileges, as
14 determined by the bylaws of the commission.

15 (b) The manner of appointment of commission members, terms of office
16 consistent with the terms of this compact, provisions for removal and suspension,
17 and manner of appointment to fill vacancies shall be determined by each party state
18 under its laws, but each commissioner shall be a resident of the state of appointment.

19 (c) All members of the commission shall serve without compensation from the
20 commission.

21 **(4) ARTICLE IV — POWERS AND DUTIES OF THE COMMISSION.** (a) The duties of the
22 commission are to:

23 1. Advocate for the funding and authorization necessary to make passenger rail
24 improvements a reality for the region.

ASSEMBLY BILL 1049

1 2. Identify and seek to develop ways that states can form partnerships,
2 including with rail industry and labor, to implement improved passenger rail service
3 in the region.

4 3. Seek development of a long-term, interstate plan for high-speed passenger
5 rail service implementation.

6 4. Cooperate with other agencies, regions, and entities to ensure that the
7 midwest is adequately represented and integrated into national plans for passenger
8 rail development.

9 5. Adopt bylaws governing the activities and procedures of the commission, and
10 addressing, among other subjects, the powers and duties of officers, the voting rights
11 of members of the commission, voting procedures, commission business, and any
12 other purposes necessary to fulfill the duties of the commission.

13 6. Expend such funds as required to carry out the powers and duties of the
14 commission.

15 7. Report on the activities of the commission to the legislatures and governors
16 of the member compacting states on an annual basis.

17 (b) In addition to its exercise of the duties specified in par. (a), the commission
18 is empowered to:

19 1. Provide multistate advocacy necessary to implement passenger rail systems
20 or plans, as approved by the commission.

21 2. Work with local elected officials, economic development planning
22 organizations, and similar entities to raise the visibility of passenger rail service
23 benefits and needs.

ASSEMBLY BILL 1049**SECTION 2**

1 3. Educate other state officials, federal agencies, other elected officials, and the
2 public on the advantages of passenger rail as an integral part of an intermodal
3 transportation system in the region.

4 4. Work with federal agency officials and members of congress to ensure the
5 funding and authorization necessary to develop a long-term, interstate plan for
6 high-speed passenger rail service implementation.

7 5. Make recommendations to member states.

8 6. If requested by each state participating in a particular project and under the
9 terms of a formal agreement approved by the participating states and the
10 commission, implement or provide oversight for specific rail projects.

11 7. Establish an office and hire staff as necessary.

12 8. Contract for or provide services.

13 9. Assess dues, in accordance with the terms of this compact.

14 10. Conduct research.

15 11. Establish committees.

16 **(5) ARTICLE V — OFFICERS.** The commission shall elect annually, from among
17 its members, a chairperson, a vice chairperson who shall not be a resident of the state
18 represented by the chairperson, and other officers as approved by the commission in
19 its bylaws. The officers shall perform the functions and exercise the powers that are
20 specified in the bylaws of the commission.

21 **(6) ARTICLE VI — MEETINGS AND COMMISSION ADMINISTRATION.** (a) The
22 commission shall meet at least once in each calendar year, and at such other times
23 as may be determined by the commission.

24 (b) Commission business shall be conducted in accordance with the procedures
25 and voting rights specified in the bylaws of the commission.

ASSEMBLY BILL 1049

1 **(7) ARTICLE VII — FINANCE.** (a) Except as otherwise provided for, the moneys
2 necessary to finance the general operations of the commission in carrying forth its
3 duties, responsibilities, and powers as stated herein shall be appropriated to the
4 commission by the compacting states, when authorized by the respective
5 legislatures, by equal apportionment among the compacting states. Nothing in this
6 compact shall be construed to commit a member state to participate in financing a
7 rail project except as provided by law of a member state.

8 (b) The commission may accept, for any of its purposes and functions,
9 donations, gifts, grants, and appropriations of money, equipment, supplies,
10 materials, and services from the federal government, from any party state or from
11 any department, agency, or municipality thereof, or from any institution, person,
12 firm, or corporation.

13 (c) All expenses incurred by the commission in executing the duties imposed
14 upon it by this compact shall be paid by the commission out of the funds available
15 to it. The commission shall not issue any debt instrument. The commission shall
16 submit to the officer designated by the laws of each party state, periodically as
17 required by the laws of each party state, a budget of its actual past and estimated
18 future expenditures.

19 **(8) ARTICLE VIII — ENACTMENT, EFFECTIVE DATE, AND AMENDMENTS.** (a) The
20 states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska,
21 North Dakota, Ohio, South Dakota, and Wisconsin are eligible to join this compact.
22 Upon approval of the commission, according to its bylaws, other states may also be
23 declared eligible to join the compact.

24 (b) As to any eligible party state, this compact shall become effective when its
25 legislature shall have enacted the same into law, provided that the compact shall not

ASSEMBLY BILL 1049**SECTION 2**

1 become initially effective until enacted into law by any 3 party states incorporating
2 the provisions of this compact into the laws of such states.

3 (c) Amendments to the compact shall become effective upon their enactment
4 by the legislatures of all compacting states.

5 **(9)** ARTICLE IX – WITHDRAWAL, DEFAULT, AND TERMINATION. (a) Withdrawal from
6 this compact shall be by enactment of a statute repealing the same and shall take
7 effect one year after the effective date of such statute. A withdrawing state shall be
8 liable for any obligations that it may have incurred prior to the effective date of
9 withdrawal.

10 (b) If any compacting state shall at any time default in the performance of any
11 of its obligations, assumed or imposed, in accordance with the provisions of this
12 compact, all rights, privileges, and benefits conferred by this compact or agreements
13 hereunder shall be suspended from the effective date of such default as fixed by the
14 commission, and the commission shall stipulate the conditions and maximum time
15 for compliance under which the defaulting state may resume its regular status.
16 Unless such default shall be remedied under the stipulations and within the time
17 period set forth by the commission, this compact may be terminated with respect to
18 such defaulting state by affirmative vote of a majority of the other commission
19 members. Any such defaulting state may be reinstated, upon vote of the commission,
20 by performing all acts and obligations as stipulated by the commission.

21 **(10)** ARTICLE X – CONSTRUCTION AND SEVERABILITY. The provisions of this
22 compact entered into hereunder shall be severable and, if any phrase, clause,
23 sentence, or provision of this compact is declared to be contrary to the constitution
24 of any compacting state or of the United States or the applicability thereof to any
25 government, agency, person, or circumstance is held invalid, the validity of the

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1 remainder of this compact and the applicability thereof to any government, agency,
2 person, or circumstance shall not be affected thereby. If this compact entered into
3 hereunder shall be held contrary to the constitution of any compacting state, the
4 compact shall remain in full force and effect as to the remaining states and in full
5 force and effect as to the state affected as to all severable matters. The provisions
6 of this compact entered into pursuant hereto shall be liberally construed to effectuate
7 the purposes thereof.

8 (END)